



1 standard for a frivolous appeal ‘is quite high,’ and frivolity should be found in cases where the  
2 appeal is either ‘wholly without merit’ or the outcome is ‘obvious.’” *Id.* (quoting *Moser v. Encore*  
3 *Capital Grp., Inc.*, No. 04CV2085-LAB (WMC), 2007 WL 1114113, at \*3 (N.D. Cal. Mar. 27,  
4 2007)). While the court obviously believes its ruling on Mr. Moore’s anti-SLAPP motion to strike  
5 was correct, it cannot say that Mr. Moore’s appeal of that order is frivolous or wholly without  
6 merit. The court must therefore stay the proceedings while Mr. Moore’s appeal is pending.

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**IT IS SO ORDERED.**

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Dated: May 14, 2018



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11 LAUREL BEELER  
12 United States Magistrate Judge  
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